

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
NEWMAN DIVISION**

JOHNNY DANIEL,

Plaintiff,

v.

RAMON CORONADO-RIOS,
FLEGSA EXPRESS, LLC, and
HUDSON INSURANCE COMPANY,

Defendants.

CIVIL ACTION FILE NO.:

NOTICE OF REMOVAL

COMES NOW, Defendant FLEGSA EXPRESS, LLC (“Defendant”) and, pursuant to 28 U.S.C. § 1446, hereby removes the action now pending in the State Court of Coweta County, State of Georgia, Case No. 20SV0460E, styled *Johnny Daniel v. Ramon Coronado-Rios, FLEGSA EXPRESS, LLC, and Hudson Insurance Company*, wherein Plaintiff Johnny Daniel (“Plaintiff”) demands judgement against Defendant, and respectfully shows unto this Honorable Court as follows:

1. Jurisdiction is proper in this Court pursuant to 28 U.S.C. § 1332.
2. The Affidavit of Defendant’s counsel, Brantley C. Rowlen, Esq. (“Rowlen Aff.”), is submitted as Exhibit A in support of this Notice of Removal.
3. This is a civil action regarding Plaintiff’s claim of negligence against

Defendant.

4. This action was commenced in the State Court of Coweta County, Georgia on November 19, 2020. Defendant was purportedly served with the Summons and Complaint through the Georgia Secretary of State on or about January 7, 2021. Co-Defendant Ramon Coronado-Rios has not yet been served in this action. (Rowlen Aff., ¶ 4).
5. Upon information and belief, Plaintiff intends to seek damages in excess of \$75,000.00. (Rowlen Aff., ¶ 5).
6. Upon information and belief, at all times material to this action, Plaintiff was a citizen of the State of Florida. (Rowlen Aff., ¶ 6).
7. At all times material to this action, Defendant FLEGSA EXPRESS, LLC was a Texas corporation with its principal place of business in the State of Texas. (Rowlen Aff., ¶ 7).
8. At all times material to this action, Defendant Ramon Coronado-Rios was a resident of Mexico. (Rowlen Aff., ¶ 8).
9. The basis for this Court's jurisdiction is diversity jurisdiction.
10. Copies of all process, pleadings, and orders served upon Defendant and such other papers that are attachments as required by 28 U.S.C. § 1446 and local court rules are filed herein. (See composite Exhibit B).

11. Pursuant to 28 U.S.C. § 1446(d), Defendant has provided written notice to all adverse parties and has filed a copy of this Notice of Removal with the Clerk of Court for the State of Coweta County, Georgia. (A copy of the Notice of Filing Notice of Removal to opposing counsel is attached hereto as Exhibit C; a copy of the Certification of Notice of Removal is attached hereto as Exhibit D).

WHEREFORE, Defendant FLEGSA EXPRESS, LLC respectfully submits this matter to this Court's jurisdiction.

Respectfully submitted this 5th day of February, 2021.

LEWIS BRISBOIS BISGAARD & SMITH LLP

Kyle A. Ference

Brantley C. Rowlen
Georgia Bar No. 153031
Kyle A. Ference
Georgia Bar No. 683043

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **NOTICE OF REMOVAL** has been mailed to all parties to this action via U.S. Mail, addressed as follows:

Robert B. Tidwell
Aaron L. Strimban
TIDWELL & STRIMBAN, LLC
135 Village Centre West, Suite 200
Woodstock, Georgia 30188

Counsel for Plaintiff

This 5th day of February, 2021.

LEWIS BRISBOIS BISGAARD & SMITH LLP

/s/ Kyle A. Ference
Brantley C. Rowlen
Georgia Bar No. 153031
Kyle A. Ference
Georgia Bar No. 683043

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